

Message

From: Walker, Mary [walker.mary@epa.gov]
Sent: 6/25/2020 4:58:18 PM
To: Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]
CC: Allenbach, Becky [Allenbach.Becky@epa.gov]; McGill, Thomas [Mcgill.Thomas@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: Deliberative - Atty/Client: One other update

OK -Very good.

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Thursday, June 25, 2020 12:52 PM
To: Walker, Mary <walker.mary@epa.gov>
Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: Deliberative - Atty/Client: One other update

Mary,

FYI – I just forwarded to the team as a heads up an email I received from John Truitt. FL will be reaching out to our attys to discuss the NHPA issue.

Thanks
jeaneanne

From: Walker, Mary <walker.mary@epa.gov>
Sent: Thursday, June 25, 2020 12:40 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: RE: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

Thanks Leif -and thanks Matt.

From: Palmer, Leif <Palmer.Leif@epa.gov>
Sent: Thursday, June 25, 2020 12:33 PM
To: Walker, Mary <walker.mary@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: RE: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

I'm aware and have been following this morning's email traffic

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Walker, Mary <walker.mary@epa.gov>

Sent: Thursday, June 25, 2020 12:26 PM

To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>

Subject: RE: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

Thank you

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Sent: Thursday, June 25, 2020 12:25 PM

To: Walker, Mary <walker.mary@epa.gov>

Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>

Subject: RE: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

Mary,

Matt is working to get an answer to that question now. Tom is checking with him on the status of his discussions. I have copied Matt, Kavita, Mita, and Leif here.

jmg

From: Walker, Mary <walker.mary@epa.gov>

Sent: Thursday, June 25, 2020 12:21 PM

To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>

Subject: RE: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

Thanks – Yes he is setting up a call with us to discuss. Do you guys or ORC have the answer to the first question - if they'd need to go out to repropose or if they could adjust in final rule?

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Sent: Thursday, June 25, 2020 11:39 AM

To: Walker, Mary <walker.mary@epa.gov>

Cc: Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>

Subject: Deliberative - Atty/Client: David Fatouhi's position on FL's NOC language - David will call Dave and Mary today

Mary,

I wanted to make sure you are aware of this. I have been **Ex. 6 Personal Privacy (PP)** so have not yet been able to circle back with Tom but will try to do that soon. Let me know if you have any questions or we need to discuss further.

Thanks
Jeaneanne

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Thursday, June 25, 2020 9:57 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

All,

Ex. 5 AC/DP

He asked us:

1.

Ex. 5 AC/DP

Thanks for all of your help here!

Finally, I will be out of the office tomorrow and Monday, but will be able to check email periodically and help shepherd as needed. **Matt and others** - let me know which of you might be out Friday and Monday.

Ex. 5 AC/DP

Ex. 5 AC/DP

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Kupchan, Simma

Sent: Wednesday, June 24, 2020 5:57 PM

To: Fotouhi, David <fotouhi.david@epa.gov>; Neugeboren, Steven

<Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 3:36 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Wednesday, June 24, 2020 3:00 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change that

Ex. 5 AC/DP

Thanks
Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Tuesday, June 23, 2020 2:12 PM
To: Walker, Mary <walker.mary@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>; Allenbach, Becky <Allenbach.Bekky@epa.gov>
Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change impacting the 5-year permit and long-term conceptual planning document language. Simma Kupchan (OGC) and Kathy Hurld (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt
Sent: Friday, June 19, 2020 12:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: FL Assumption NOC

Team,

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP